

EXHIBIT B
Google's Proposed Constructions and Supporting Evidence

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
1	<p>“A hardware based utilization metering device”</p> <p>“A hardware based method for measuring processor utilization in a computer system comprising a plurality of processors”</p> <p>“An apparatus that provides hardware based utilization metering of central processor units (CPUs) in a computer system”</p>	'809	1, 13, 18	Preamble is limiting	<p>Abstract, 1:11-45, 1:49-2:16, Figs. 1A, 1C, 2, 3.</p> <p>Claims 1, 13, 18.</p> <p>1/6/04 Reply to October 6, 2003 Office Action at 7.</p> <p>HP Invention Disclosure Form - Hardware based utilization metering (VALTRUS-GOOGLE-NDTX-00001875)</p> <p>Valtrus's Preliminary Infringement Contentions—'809 patent, claims 1, 13, 18.</p> <p>Plaintiff Valtrus Innovations Ltd.'s Opposition to Defendant Google's Motion to Dismiss under Fed. R. Civ. P. 12(b)(6), Dkt. 53 at 2 and 22.</p>
2	“idle indicator”	'809	1, 3	“hardware indicator device to indicate when a processor is not processing”	<p>Abstract, 1:11-45, 1:49-2:16, 3:50-67, 4:36-56, Figs. 1A, 1C, 2, 3.</p> <p>Claims 1, 3.</p>

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
					<p>1/6/04 Reply to October 6, 2003 Office Action at 7.</p> <p>HP Invention Disclosure Form - Hardware based utilization metering (VALTRUS-GOOGLE-NDTX-00001875)</p> <p>Valtrus's Preliminary Infringement Contentions—'809 patent, claims 1, 3.</p>
3	"counter"	'809	1, 5-6, 13-14, 18-19	"hardware counter device"	<p>Abstract, 1:11-45, 1:49-2:16, 3:37-42, 3:50-67, 4:1-8, 4:36-56, 6:54-7:3, Figs. 1A, 1C, 2, 3.</p> <p>Claims 1, 5-6, 13-14, 18-19.</p> <p>1/6/04 Reply to October 6, 2003 Office Action</p> <p>HP Invention Disclosure Form - Hardware based utilization metering (VALTRUS-GOOGLE-NDTX-00001875)</p> <p>Valtrus's Preliminary Infringement Contentions—'809 patent, claims 1, 5-6, 13-14, 18-19.</p>
4	"system clock"	'809	1	"hardware system clock"	<p>Abstract, 1:11-45, 1:49-2:16, 3:37-42, 3:50-67, 4:1-8, 4:36-56, 6:54-7:3, Figs. 1A, 1C, 2, 3.</p>

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
					<p>Claim 1.</p> <p>1/6/04 Reply to October 6, 2003 Office Action at 7.</p> <p>HP Invention Disclosure Form - Hardware based utilization metering (VALTRUS-GOOGLE-NDTX-00001875)</p> <p>Valtrus's Preliminary Infringement Contentions—'809 patent, claim 1.</p>
5	"data usage provider"	'809	1, 9	"hardware data usage provider device"	<p>Abstract, 1:11-45, 1:49-2:16, 3:37-42, 3:50-67, 4:1--56, 6:54-7:3, Figs. 1A, 1C, 2, 3.</p> <p>Claims 1, 9.</p> <p>1/6/04 Reply to October 6, 2003 Office Action at 7.</p> <p>HP Invention Disclosure Form - Hardware based utilization metering (VALTRUS-GOOGLE-NDTX-00001875)</p> <p>Valtrus's Preliminary Infringement Contentions—'809 patent, claims 1, 9.</p>

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
6	“busy”/ “busy state” / “busy indication”	’809	5, 13, 18	“not idle, where idle is when a processor is not processing” otherwise indefinite under 112, ¶ 2	<p>Abstract, 1:11-45, 1:49-2:16, 2:44-50, 3:21-42, 3:50-67, 4:1-8, 4:36-56, 6:54-7:3, Figs. 1A, 1C, 2, 3.</p> <p>Claims 5, 13, 18.</p> <p>HP Invention Disclosure Form - Hardware based utilization metering (VALTRUS-GOOGLE-NDTX-00001875)</p> <p>Valtrus’s Preliminary Infringement Contentions—’809 patent, claims 5, 13, 18.</p> <p>Petersen, Data & Telecommunications Dictionary, (1999), busy</p> <p>IEEE 100 The Authoritative Dictionary of IEEE Standards Terms 7th Ed (Dec. 2000), busy.</p>
7	“means for measuring computer system time”	’809	18	<p>Subject to 112, ¶ 6 and indefinite for failing to disclose corresponding structure</p> <p>Function: measuring computer system time</p> <p>Structure: None, or in the alternative, hardware system clock</p>	<p>3:64-67, Figs. 1A, 1C, 2, 3.</p> <p>Claim 18.</p> <p>HP Invention Disclosure Form - Hardware based utilization metering (VALTRUS-GOOGLE-NDTX-00001875)</p>

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
					Valtrus's Preliminary Infringement Contentions—'809 patent, claim 18
8	"means for determining when a CPU is busy"	'809	18	<p>Subject to 112, ¶ 6 and indefinite for failing to disclose corresponding structure</p> <p>Function: determining when a CPU is busy</p> <p>Structure: None</p>	<p>3:56-61, 4:36-56, Figs. 1A, 1C, 2, 3.</p> <p>Claim 18.</p> <p>1/6/04 Reply to October 6, 2003 Office Action at 7.</p> <p>HP Invention Disclosure Form - Hardware based utilization metering (VALTRUS-GOOGLE-NDTX-00001875)</p> <p>Valtrus's Preliminary Infringement Contentions—'809 patent, claim 18</p>
9	"means for providing an indication when the CPU is busy"	'809	18	<p>Subject to 112, ¶ 6 and indefinite for failing to disclose corresponding structure</p> <p>Function: providing an indication when the CPU is busy</p> <p>Structure: None or in the alternative hardware device coupled to a pin of the processor</p>	<p>3:56-61, 4:36-56, Figs. 1A, 1C, 2, 3.</p> <p>Claim 18.</p> <p>1/6/04 Reply to October 6, 2003 Office Action at 7.</p> <p>HP Invention Disclosure Form - Hardware based utilization metering (VALTRUS-GOOGLE-NDTX-00001875)</p> <p>Valtrus's Preliminary Infringement Contentions—'809 patent, claim 18</p>

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
10	“means for receiving the indication and measure of computer system time”	’809	18	<p>Subject to 112, ¶ 6 and indefinite for failing to disclose corresponding structure</p> <p>Function: receiving the indication and measure of computer system time</p> <p>Structure: None</p>	<p>3:61-63, Figs. 1A, 1C, 2, 3.</p> <p>Claim 18.</p> <p>HP Invention Disclosure Form - Hardware based utilization metering (VALTRUS-GOOGLE-NDTX-00001875)</p> <p>Valtrus’s Preliminary Infringement Contentions—’809 patent, claim 18</p>
11	“means for combining the indication and the measure of computer system time to generate a counter value indicative of CPU utilization”	’809	18	<p>Subject to 112, ¶ 6 and indefinite for failing to disclose corresponding structure</p> <p>Function: combining the indication and the measure of computer system time to generate a counter value indicative of CPU utilization</p> <p>Structure: None or the alternative a hardware counter device</p>	<p>4:1-5, Figs. 1A, 1C, 2, 3.</p> <p>Claim 18.</p> <p>HP Invention Disclosure Form - Hardware based utilization metering (VALTRUS-GOOGLE-NDTX-00001875)</p> <p>Valtrus’s Preliminary Infringement Contentions—’809 patent, claim 18</p>
12	“means for maintaining the counter value”	’809	18	<p>Subject to 112, ¶ 6 and indefinite for failing to disclose corresponding structure</p> <p>Function: maintaining the counter value</p>	<p>4:9-23, 5:5-10, Figs. 1A, 1C, 2, 3.</p> <p>Claim 18.</p> <p>HP Invention Disclosure Form - Hardware based utilization metering (VALTRUS-GOOGLE-NDTX-00001875)</p>

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
				Structure: None or in the alternative a hardware usage data provider device	Valtrus's Preliminary Infringement Contentions—'809 patent, claim 18
13	"means for reinitializing the counter value upon power of the CPU"	'809	19	<p>Subject to 112, ¶ 6 and indefinite for failing to disclose corresponding structure</p> <p>Function: reinitializing the counter value upon power of the CPU</p> <p>Structure: None or in the alternative a hardware usage data provider device and non-volatile memory</p>	<p>6:6-29, Figs. 1A, 1C, 2, 3.</p> <p>Claim 19.</p> <p>HP Invention Disclosure Form - Hardware based utilization metering (VALTRUS-GOOGLE-NDTX-00001875)</p> <p>Valtrus's Preliminary Infringement Contentions—'809 patent, claim 19.</p>
14	"cells"	'809	18	Plain and ordinary meaning	<p>5:47-65, 6:17-29.</p> <p>Claim 18.</p> <p>HP Invention Disclosure Form - Hardware based utilization metering (VALTRUS-GOOGLE-NDTX-00001875)</p> <p>Valtrus's Preliminary Infringement Contentions—'809 patent, claim 19.</p>
15	"computing domains"	'005	8, 9	Plain and ordinary meaning	<p>Abstract, 3:8-14, 3:25-37, 13:37-14:20.</p> <p>Claims 8, 9.</p>

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
					Valtrus's Preliminary Infringement Contentions—'005 patent, claims 8, 9.
16	"application priority levels"	'005	8	"priority levels that are assigned to each application in allocating resources"	Abstract, 7:63-8:27, 10:20-32. Claim 8. Valtrus's Preliminary Infringement Contentions—'005 patent, claim 8.
17	"manager process"	'005	8	"software responsible for controlling how resources are divided and assigning those resources to applications"	Abstract, 2:8-34. Claim 8. Valtrus's Preliminary Infringement Contentions—'005 patent, claim 8.
18	"performance data"	'005	8	"data generated by a performance monitor"	14:4-44. Claim 8. Valtrus's Preliminary Infringement Contentions—'005 patent, claim 8.
19	"dynamically reallocating said plurality of resources between said plurality of computing domains"	'005	8	"automatically reallocating said plurality of resources between said plurality of computing domains"	Abstract, 2:9-47, 4:36-58, 14:44-15:2. Claim 8.

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
					Valtrus's Preliminary Infringement Contentions—'005 patent, claim 8.
20	"virtual machines"	'005	9, 12	"software that mimics or emulates hypothetical hardware computer devices"	13:37-14:20. Claims 9, 12. <i>IEEE 100 The Authoritative Dictionary of IEEE Standards Terms</i> 7 th Ed (2000), virtual machine. <i>Microsoft Encarta College Dictionary</i> (2001), virtual machine. <i>Microsoft Computer Dictionary</i> 5 th ed. (2002), virtual machine. Valtrus's Preliminary Infringement Contentions—'005 patent, claims 9, 12.
21	Whether the preamble is limiting	'005	8	No construction necessary	Claim 8. Valtrus's Preliminary Infringement Contentions—'005 patent, claim 8.
22	"partitioned server "	'454	1, 5, 17	"a single non-distributed hardware server subdivided into independent portions that together perform as multiple servers"	Abstract, 1:34-58 Claims 1, 5, 17.

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
					<p>1/18/2005 Response After Final Rejection at 3-4.</p> <p>HP Invention Disclosure Form - Load Balancing Scheme (VALTRUS-GOOGLE-NDTX-00001871)</p> <p>Valtrus's Preliminary Infringement Contentions—'454 patent, claims 1, 5, 17.</p> <p>Valtrus's July 14, 2022 Letter re Valtrus's Preliminary Infringement Contentions at 6-7.</p>
23	"partitions"	'454	1, 4, 17, 18	<p>"independent portion of the partitioned server (as construed) that has its own resources not shared with other portions of the partitioned server"</p>	<p>Abstract, 1:34-58, 1:63-2:67, 4:13-64</p> <p>Claims 1, 4, 17, 18.</p> <p>1/18/2005 Response After Final Rejection at 3-4.</p> <p>HP Invention Disclosure Form - Load Balancing Scheme (VALTRUS-GOOGLE-NDTX-00001871)</p> <p>Valtrus's Preliminary Infringement Contentions—'454 patent, claims 1, 4, 17, 18.</p>

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
					<p><i>IEEE 100 The Authoritative Dictionary of IEEE Standards Terms</i>, 7th Ed (2000), partition.</p> <p><i>S.M.H. Collin Dictionary of Computing</i>, 4th ed. (2002), partition.</p> <p><i>Microsoft Computer Dictionary</i> 5th ed. (2002), partition.</p> <p><i>Websters New World Dictionary of Computer Terms</i> 8th ed. (2000), partition.</p>
24	“determining a configuration of each of said plurality of partitions”	’454	1, 17	“determining an allocation of resources of each of said plurality of partitions (as construed)”	<p>3:39-60</p> <p>Claims 1, 17.</p> <p>HP Invention Disclosure Form - Load Balancing Scheme (VALTRUS-GOOGLE-NDTX-00001871)</p> <p>Valtrus’s Preliminary Infringement Contentions—’454 patent, claims 1, 17.</p>
25	“load balancer”	’454	1	“network resource that balances (or distributes) a load between a plurality of partitions”	<p>5:60-6:48,</p> <p>Claim 1.</p> <p>11/10/2005 Response After Non-Final Rejection at 3.</p>

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
					<p>HP Invention Disclosure Form - Load Balancing Scheme (VALTRUS-GOOGLE-NDTX-00001871)</p> <p>Valtrus's Preliminary Infringement Contentions—'454 patent, claim 1.</p>
26	"assigning a rank to each of said plurality of partitions based at least in part on said configurations"	'454	1	"assigning a relative standing for each partition within the partitioned server based on factors, such as the relative weight of resources allocated to each partition, frequency with which the partition changes, response time of the partition"	<p>2:15-60, 7:16-8:12.</p> <p>Claim 1.</p> <p><i>Modern Dictionary of Electronics</i> 7th ed. (1999), rank.</p> <p><i>The American Heritage Dictionary</i>, 4th ed. (2001), rank.</p> <p>Valtrus's Preliminary Infringement Contentions—'454 patent, claim 1.</p>
27	"search engine(s)"	'704	1, 12	"computer program that receives a query and returns a corresponding ordered list of results on the Web, where results are determined from an index built by an automatic program -- variously known as bot, crawler, or spider -- to identify pages on the Web and form an index of those pages"	<p>1:7-10, 1:33-52, 1:53-2:11, 2:12-28, 2:29-33, 2:34-47, 2:66-3:27, 4:20-49, 5:23-27.</p> <p>Claims 1, 12.</p> <p><i>Random House Webster's College Dictionary</i>, 2nd ed. (1999), search engine.</p>

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
					<p><i>Microsoft Computer Dictionary</i>, 4th ed. (1999), search engine.</p> <p><i>Newton's Telecom Dictionary</i>, 16th ed. (2000).</p> <p><i>Webster's New World Dictionary of Computer Terms</i>, 8th ed. (2000).</p> <p><i>The American Heritage Dictionary</i>, 4th ed. (2001).</p> <p>Valtrus's Preliminary Infringement Contentions—'704 patent, claims 1 and 12.</p> <p>Declaration of Dr. Amy N. Langville in Support of Plaintiff Valtrus Innovations Ltd.'s Opposition to Defendant Google's Motion to Dismiss under Fed. R. Civ. P. 12(b)(6), Dkt. 54 at Exhibit A ("Langville Declaration") ¶¶ 10, 15, 24.</p>
28	"scoring value(s)"	'704	1, 12	"number that represents how closely the entry matches the query, where certain number ranges indicate an entry that is likely to be relevant to the user"	<p>5:56-65, 6:65-7:9, Fig. 3.</p> <p>Claims 1, 12.</p> <p>Valtrus's Preliminary Infringement Contentions—'704 patent, claims 1 and 12.</p>

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
29	“representative value”	’704	1, 12	“summary value that is calculated by combining each scoring value in a set of selected entries”	5:60-6:29, 7:10-14, Fig. 3. Claims 1, 12. Valtrus’s Preliminary Infringement Contentions—’704 patent, claims 1 and 12.
30	“predetermined manner”	’704	1, 12	Indefinite under 112, ¶ 2	Claims 1, 12. Valtrus’s Preliminary Infringement Contentions—’704 patent, claims 1 and 12. Langville Declaration ¶¶ 40-41.
31	“predetermined manner”	’704	1	Indefinite under 112, ¶ 2	Claim 1. Valtrus’s Preliminary Infringement Contentions—’704 patent, claim 1. Langville Declaration ¶¶ 40-41.
32	“a subset of entries from each result list” “subset of entries”	’704	1, 12	“some but not all entries from each result list”	1:7-10, 2:48-56, 2:57-63, 3:20-24, 5:36-43, 5:44-49, Fig. 3. Claims 1, 12. 09/02/03 Amendment at 8-9. <i>Random House Webster’s College Dictionary</i> , 2nd ed. (1999), subset.

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
					<p><i>Webster's Third New Int'l Dictionary</i> (2002), subset.</p> <p><i>The American Heritage Dictionary</i>, 4th ed. (2001), subset.</p> <p>Valtrus's Preliminary Infringement Contentions—'704 patent, claims 1, 12.</p>
33	<p>"producing a merged list of entries"</p> <p>"merging entries . . . into a single list"</p>	'704	1, 12	"combining entries of two or more ordered sequences into a single ordered sequence"	<p>1:7-10, 2:48-56, 2:49-56, 2:57-63, 4:20-49, 4:50-58, 4:59-65, 5:23-27, 5:36-43, 7:10-54, Figs. 2 and 3.</p> <p>Claims 1, 12.</p> <p>09/02/03 Amendment at 7.</p> <p><i>Random House Webster's College Dictionary</i>, 2nd ed. (1999), merge.</p> <p><i>Webster's Third New Int'l Dictionary</i> (2002), merge.</p> <p><i>Microsoft Computer Dictionary</i>, 4th ed. (1999), concatenate</p> <p><i>Microsoft Computer Dictionary</i>, 4th ed. (1999), merge</p>

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
					<p><i>The American Heritage Dictionary</i>, 4th ed. (2001), merge.</p> <p>Valtrus’s Preliminary Infringement Contentions—‘704 patent, claims 1, 12.</p> <p>Langville Declaration ¶¶ 34-35, 40-41.</p>
34	<p>“wherein the/said representative value varies in accordance with [said] predetermined manner”</p> <p>“varies in accordance with”</p>	’704	1, 12	<p>Indefinite under 112, ¶ 2</p> <p>Alternatively, “wherein the representative value is dynamically adjusted in a predetermined manner as the result lists are merged”</p>	<p>7:10-34, 7:35-54, Fig. 3.</p> <p>Claims 1, 12.</p> <p>01/29/04 Amendment at 2.</p> <p>Valtrus’s Preliminary Infringement Contentions—‘704 patent, claims 1, 12.</p> <p>Langville Declaration ¶¶ 40-41.</p>
35	Ordering of the method steps	’704	1, 12	The steps must be performed in order.	<p>Claims 1, 12.</p> <p>Valtrus’s Preliminary Infringement Contentions—‘704 patent, claims 1, 12.</p>
36	Whether the preambles are limiting	’704	1, 12	No construction necessary.	<p>Claims 1, 12.</p> <p>Valtrus’s Preliminary Infringement Contentions —‘704 patent, claims 1, 12.</p>

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
37	“relevance score”	’764	1, 7, 14	“numerical indicator provided by a search engine of the relevance of a document to a single query”	2:64–3:10, 3:54-64. Claims 1, 7, 14. Valtrus’s Preliminary Infringement Contentions—’764 patent, claims 1, 7, 14.
38	“similarity score”	’764	1, 7, 14	“score that is calculated differently and separate from the relevance score”	Abstract, 1:46-60, 1:63-2:2, 3:20-53. 4:45-50, Figs. 2 and 3. Claims 1, 7, 14. 11/26/03 Amendment at 7-8, Valtrus’s Preliminary Infringement Contentions—’764 patent, claims 1, 7, 14. Langville Declaration ¶ 48.
39	“feature vector”	’764	1, 2, 3, 7, 9, 10, 14, 15, 16	“a quantity specifying the words and the numbers of those words in a query or document”	2:12-16, 2:22-29, 4:31-44, Figs. 2 and 3. Claims 1, 2, 3, 7, 9, 10, 14, 15, 16. <i>The American Heritage Dictionary</i> , 4th ed. (2001), vector <i>Random House Webster’s College Dictionary</i> , 2nd ed. (1999), vector

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
					<p><i>Microsoft Computer Dictionary</i>, 4th ed. (1999), vector</p> <p><i>Newton's Telecom Dictionary</i>, 16th ed. (2000), vector</p> <p>Valtrus's Preliminary Infringement Contentions—'764 patent, claims 1, 2, 3, 7, 9, 10, 14, 15, 16.</p> <p>Langville Declaration ¶ 47.</p>
40	"rank value"	'764	1, 7, 14	"value used to rank search results"	<p>1:67-2:2, 2:18-21, 2:27-29, 3:54-64, Figs 2 and 3.</p> <p>Claims 1, 7, 14.</p> <p>Valtrus's Preliminary Infringement Contentions—'764 patent, claims 1, 7, 14.</p>
41	<p>"query words of a different query associated with said document"</p> <p>"query words of said different queries associated with said selected viewed document"</p>	'764	1, 7, 14	<p>"words of an earlier query associated with said document containing different words than said query"</p> <p>"words of earlier queries associated with said viewed document containing different words than said query"</p>	<p>2:30-35, 3:26-36, 4:23-44, Figs. 2 and 3,</p> <p>Claims 1, 7, 14.</p> <p>11/26/03 Amendment at 2, 6-7.</p> <p>Valtrus's Preliminary Infringement Contentions —'764 patent, claims 1, 7, 14.</p> <p>Langville Declaration ¶¶ 48, 55.</p>

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
	<p>“associated with said document”</p> <p>“associated with said selected viewed document”</p>				
42	“the previous identification of said document”	’764	3, 10, 16	Indefinite under 112, ¶ 2	<p>Claims 1, 3, 7, 10, 14, 16.</p> <p>Valtrus’s Preliminary Infringement Contentions—’764 patent, claims 3, 10, 16.</p>
43	“viewed document database”	’764	7	“a discrete logical unit of files, that are organized and managed for ease of access and use, that have been viewed by a person in response to a query”	<p>2:3-21, 3:20-25, 4:15-30, 6:13-30, Fig. 1.</p> <p>Claim 7.</p> <p><i>Microsoft Computer Dictionary</i>, 4th ed. (1999), database</p> <p><i>Newton’s Telecom Dictionary</i>, 16th ed. (2000), database</p> <p>Valtrus’s Preliminary Infringement Contentions—’764 patent, claim 7.</p>
44	“a vector constructor to form a feature vector for each viewed document”	’764	7	<p>Subject to 112, ¶ 6</p> <p>Function: forming a feature vector for each viewed document</p> <p>Structure: Algorithm at 4:30-44.</p>	<p>4:30-44.</p> <p>Claim 7.</p> <p>Valtrus’s Preliminary Infringement Contentions—’764 patent, claim 7.</p>

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
45	“vector constructor”	’764	7	This is a nonce term.	4:30-44. Claim 7. Valtrus’s Preliminary Infringement Contentions—’764 patent, claim 7.
46	<p>“a similarity processor to calculate a similarity score for said query utilizing the feature vector of said selected viewed document”</p> <p>“a similarity processor to calculate a similarity score for said query utilizing a feature vector that characterizes attributes and query words of a different query associated with said document”</p>	’764	7, 14	<p>Subject to 112, ¶ 6</p> <p>Function: calculating a similarity score for said query utilizing the feature vector of said selected viewed document / calculating a similarity score for said query utilizing a feature vector that characterizes attributes and query words of a different query associated with said document</p> <p>Structure: cosine similarity, disclosed at 4:45-50.</p>	<p>4:45-50.</p> <p>Claims 7, 14.</p> <p>Valtrus’s Preliminary Infringement Contentions—’764 patent, claims 7, 14.</p>
47	“similarity processor”	’764	7, 14	This is a nonce term.	<p>4:45-50.</p> <p>Claims 7, 14.</p> <p>Valtrus’s Preliminary Infringement Contentions—’764 patent, claims 7, 14.</p>

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
48	Whether the preambles are limiting	'764	7, 14	Claims 7 and 14 are limited to software.	Claims 7, 14. Valtrus's Preliminary Infringement Contentions—'764 patent, claims 7, 14.
49	"in view of a query"	'764	1, 14	"in reference to a query", else indefinite under 112, ¶ 2	2:64-3:10, 4:4-13, 6:13-16, Figs. 2 and 3, Claims 1, 7, 14. Valtrus's Preliminary Infringement Contentions—'764 patent, claims 1, 14.
50	"attribute(s)"	'764	1, 2, 3, 7, 8, 9, 10, 14, 15, 16	"word(s) within a/the document"	3:37-47, 4:30-44, Valtrus's Preliminary Infringement Contentions—'764 patent, claims 1, 2, 3, 7, 8, 9, 10, 14, 15, 16.
51	"expert document(s)"	'604	1, 20	Indefinite under 112, ¶ 2; else "document that is about a certain topic and has links to many non-affiliated pages on that topic" Two pages are 'affiliated' if and only if the hosts they are located on are known to be affiliated.	2:54-58, 4:27-56, 4:66-67, 5:3-7, 5:23-28, 5:41-61. Claims 1, 20. 7/18/2003 Response at 7-8. 12/2/2003 Amendment at 9-10. 4/19/2004 Amendment at 8.

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
				Hosts are affiliated if they share the same first 3 octets of the IP address, and/or the rightmost non-generic token in the hostname is the same.	Valtrus's Preliminary Infringement Contentions—'604 patent, claims 1, 20. Langville Declaration ¶ 22.
52	"target document(s)"	'604	1	"document pointed to from at least two expert documents on hosts that are non-affiliated to the document" Hosts are affiliated if they share the same first 3 octets of the IP address, and/or the rightmost non-generic token in the hostname is the same.	4:66-67, 5:3-7, 5:23-28, 7:18-8:9, Claim 1. Valtrus's Preliminary Infringement Contentions—'604 patent, claim 1.
53	"ranking the expert documents in accordance with the search query"	'604	1	"ordering the expert documents by matching them to the terms in the search query"	5:64-6:1, 6:4-15, 6:38-43, Fig. 8. Claim 1. 12/26/02 Response at 9-10. 7/18/2003 Response at 8. Valtrus's Preliminary Infringement Contentions—'604 patent, claim 1. Langville Declaration ¶¶ 25-26, 28.
54	"ranking target documents pointed to by the ranked expert documents"	'604	1	"ordering target documents by matching them to the terms in the search query"	5:64-6:1, 6:4-15, 7:30-43, 8:13-17, Fig. 2. Claim 1.

No.	Claim Term	Patent	Claims	Proposed Construction	Evidence
					<p>7/18/2003 Response at 8.</p> <p>12/2/2003 Amendment at 9.</p> <p>10/18/2004 Appeal Brief at 7-8.</p> <p>Valtrus's Preliminary Infringement Contentions—'604 patent, claim 1.</p> <p>Langville Declaration ¶ 30.</p>
55	"without reference to the search query"	'604	1	No construction necessary (beyond the antecedent of "the search query" being provided in the preamble)	<p>Claim 1.</p> <p>Valtrus's Preliminary Infringement Contentions—'604 patent, claim 1.</p>
56	"hypertext documents"	'604	1	No construction necessary	<p>4:26-46</p> <p>Claims 1, 2, 3.</p> <p>Valtrus's Preliminary Infringement Contentions—'604 patent, claim 1.</p>